

DIST/OFFICE	DOCKET		FILING DATE		J	N/S	O	R	R 23	\$	DEMAND OTHER	JUDGE NUMBER	JURY DEM.	DOCKET	
	YR.	NUMBER	MO.	DAY YEAR										YR.	NUMBER
1085/4	75	0109	03	26 75	4	110	2	12			18	8510	Yes	75	0109-C

## PLAINTIFFS

## DEFENDANTS

MILDRED GRACE  
Utica Shop  
3346 East 51st  
Tulsa

STATE FARM AND CASUALTY  
COMPANY, A FOREIGN CORPORATION

## CAUSE

PLAINTIFF IS SUING ON AN INSURANCE CONTRACT CLAIMING THAT PLAINTIFF'S DWELLING WAS DAMAGED BY WIND AND RAIN AND DEFENDANT WAS OBLIGATED TO PAY FOR SAID DAMAGE AND DID NOT.

## ATTORNEYS

~~WILSON, HENDERSON & FILBECK~~  
~~Suite 6~~  
~~LeFeyers Bldg.~~  
~~Sapulpa, Oklahoma 74066~~  
~~224-4496~~

RICHARD D. GIBBON & ASSOCIATES  
301 Beacon Building  
Tulsa, Oklahoma 74103  
583-3195

~~Allen M. Smallwood~~  
~~1717 South Cheyenne~~  
~~Tulsa, Oklahoma 74119~~  
~~(918-585-9837)~~

512 Bob Childers & Bert M. Grigg  
Mayo Bldg., Tulsa, OK 74103  
Tulsa (585-5800)

<input type="checkbox"/> CHECK HERE IF CASE WAS FILED IN FORMA PAUPERIS	FILING FEES PAID			STATISTICAL CARDS	
	DATE	RECEIPT NUMBER	C.D. NUMBER	CARD	DATE MAILED
				JS-5	April 1, 197
				JS-6	6-1-76

DATE	NR.	PROCEEDINGS
3-26-75	1	Petition for Removal from District Court of Creek County Oklahoma, filed. mm
3-26-75	2	Bond of Removal - \$500.00, Fidelity & Deposit Co., of Maryland, filed. mm
3-26-75	3	Notice of Removal W/Certificate, filed. mm
3-26-75	4	W/Brief Motion to Quash/by the Deft., filed mm.
3-31-75	5	MO: It is ordered by the Court that the Plf. file a responsive brief within 10 days to the Motion to Quash by the Deft. (HDC) mm
4-8-75	6.	Appl. for extension of time to file response brief, filed by Pltf. v (o)
4-8-75	7.	Order extending time to file response brief, filed, granting pltf. until 4-23-75 to respond. (HDC-J)hm (copies mailed)
4-21-75	8.	Response to Mtn. to Quash Summons, filed/jj w/brief enclued.
5-27-75	9.	Notice of Entry and Appearance of Allen M. Smallwood for Pltf. Mildred Grace, fld. v
5-29-75	MO	By advice of counsel for deft., Richard D. Gibbon, by letter dated 5-28-75, IT IS ORDERED that the mot. to quash be and same is hereby withdrawn. IT IS FURTHER ORDERED that deft. is granted 20 days from this date to answer. (HDC-J)hm
6-4-75	10.	<u>ANSWER</u> of def., filed. rm
6-9-75	11.	Applic. of Bill wilson for permission to withdraw, filed. hm
6-11-75	MO:	Case set for pre-trial 7-8-75 at 1:45 p.m. (HDC-J)hm
6-16-75	11.	Order allowing withdrawal of Counsel filed Bill Wilson, attorney of Wilson, Henderson & Filbeck as counsel for pltf, Mildred Grace. (HDC-J)cps mld mm
6-17-75	12.	Plaintiff's Demand for Jury Trial, filed. mm
6-25-75	13.	Appl. for Permission to Withdraw filed by Allen Smallwood, atty for Plaintiff. jj O to J
6-25-75	MO:	Ordered by the Ct. that this case is set for hrg. on appl. to withdraw of pltf. counsel, Allen Smallwood, for 11 a.m., 7/8/75. (HDC-J)rm-notices
7-2-75	14.	Mtn. for Cont., filed. jj O to J
7-3-75	15.	Order, filed, striking case from pre-trial docket of 7/8/75. (HDC-J)rm copies mailed
3 =7-3-75	16.	Order, filed, allowing Allen Smallwood leave to withdraw as counsel for pltf. (HDC-J)rm-copies mailed
7-16-75	MO:	Case set for PT hearing 8-27-75 at 1:15 p.m. (HDC-J)hm
7-30-75	17.	Appl. of Plaintiff to file amended petition, approved by Deft., filed. v
7-31-75	18.	Amended petition, filed with leave of Court. (HDC-J)g
8-27-75	MO:	Pretrial hearing held. Statements made. Deft. stands on original ans. as ans. to amended complaint. Pltf. to file brief on consequential damages within 30 days; deft. to ans. within 15 days. Pltf. to prepare pt order within 30 days and case set for jury trial 1-19-76 at 10:00 a.m. (EST-1½ days) (HDC-J)hm

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>75-C-109</u>
Mildred Grace		State Farm & Casualty Co	PAGE <u>2</u> OF <u>2</u> PAGES
DATE	NR.	PROCEEDINGS	
9-15-75	19.	Second Amended Petition, filed W/Leave Granted. (HDC-J) cps mld mm	
9-15-75	20.	Pre-Trial Order, filed. (HDC-J) cps mld mm	
9-22-75	21.	Plaintiff's Memorandum brief on consequential damages, filed.k	
10-16-75	22.	Memorandum brief of deft., filed. hm	
1976			
1-5-	23.	Pltf's Requested Voir Dire Questions, filed.jj	
1-5	24.	Pltf's Requested Instructions to the Jury, filed.jj	
1-6	25.	Amendments to pretrial order, filed. (HDC-J)g cpies mld.	
1-13	26.	Pltf's motion for continuance, filed. hm	
1-13	27.	Order of continuance, filed, (from jury docket of 1-19-76) (HDC-J)hm (copies mailed)	
1-20	MO:	Case set for jury trial 5-25-76 at 10:00 a.m. (HDC-J)hm	
2-29		Subpoena, ret & filed: Served Carl W. Rounsaville at Tulsa, OK on 4-27-76. ph	
5-25	MO:	Case called for jury trial. Parties announce ready. Jury duly empaneled and admonished. Trial passed to 5-26-76 at 1:30 p.m. (HDC-J)hm	
5-28	MO:	Jury trial held May 26, 27 & 28. Rule invoked. Opening statements made. Parties present case in chief w/test. of witnesses. Pltf's and deft's exhibits admitted. At close of pltf's case, deft's motion for dismissal denied. Pltf. presents rebuttal evid. w/test. of witnesses and rests. Parties rest. Deft. renews mo/dismiss and for directed verdict; pltf. moves for directed verdict. All motions overruled. Closing arguments made. Instructions given to the Jury. Jury retires to deliberate at 11:10 a.m. on 5-28. (11:25 a.m.) Jury & parties return to courtroom. Jury presents note to the court re deft's exhibits 5 thru 10. Court makes statement. Jury retires to continue deliberating (11:27 a.m.) Jury returns with verdict finding for the deft. at 1:36 p.m. Verdict ordered received, read and filed in open court. Jury discharged. Court recessed. Pltf. moves for judgment notwithstanding the verdict as the Court leaves the Bench. (HDC-J)hm	
5-27	28.	Pltf's requested instruction, filed in open court. hm	
5-28	29.	Instructions to the jury, filed in open court. (HDC-J)hm	
5-28	30.	Note from the jury foreman, filed in open court. hm	
5-28	31.	Jury verdict, filed in open court, finding for the deft. hm	
5-28	32.	Judgment on jury verdict, filed and entered, that pltf. take nothing & deft. recover of pltf. its costs of action. (JCS-Clk)hm (copies mailed)	
5-28		Trial exhibits, filed. (Pltf's 10 & 11 in exhibit room - others in file)hm	

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	

PAGE \_\_\_\_ OF \_\_\_\_ PAGES